



COME NOW Debtors, Claimants, and Third-Party Defendants KrisJenn Ranch, LLC, KrisJenn Ranch, LLC-Series Uvalde Ranch, KrisJenn Ranch, LLC-Series Pipeline Row, and KrisJenn Ranch, LLC, as successor in interest to Black Duck Properties, LLC (collectively the “Debtors”), pursuant to Local Bank. R. 7007 (c)(1), hereby request leave to file a Sur-Reply to DMA Properties, Inc.’s Reply in Support of Motion for Partial Summary Judgment on DMA’s Ownership Interest in the Bigfoot Note Payments (the “Reply”). [Doc. 93.] To the extent the Court is inclined to consider DMA Properties, Inc.’s (“DMA”) procedurally improper and meritless Reply, the Debtors respectfully request an opportunity to respond.

DMA now seeks to raise, for the first time in this proceeding, an argument in which DMA is a third-party beneficiary, despite DMA’s failure to include such argument in their motion for summary judgment [Doc. 41]. Debtors therefore seek a fair opportunity to respond to this new argument. Accordingly, Debtors request that the Court accept its Sur-Reply to the Reply, a copy of which is attached as exhibit A hereto. A proposed form of order also accompanies this motion.

WHEREFORE PREMISES CONSIDERED Debtors pray this Court issue an order granting leave of court to file Debtors’ Sur-Reply and request the Court enter Exhibit A into the docket.

Dated: October 12, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record by way of e-service through the CM/ECF system by notice of electronic filing or via email on the 12th day of October 2020:

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